

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES KERRIGAN,
Plaintiff,

v.

**OTSUKA AMERICA
PHARMACEUTICAL, INC.; AND MARK
ALTMHEYWE,**
Defendants.

CIVIL ACTION

NO. 12-4346

ORDER

AND NOW, this 5th day of July, 2016, upon consideration of Defendants Otsuka America Pharmaceutical, Inc.'s ("OAPI") and Mark Altmeyer's *Daubert* Motion to Exclude the Opinions in, and Any Testimony Regarding, the Report of Marie Fairchild Pertaining to Alleged Front Pay Damages [ECF No. 74]; the Plaintiff's opposition thereto [ECF No. 76]; and the Defendants' reply [ECF No. 80], and in light of the Court's July 5, 2016, order granting Defendants' motion for Summary Judgment, **IT IS ORDERED** that Defendant's Motion is **DISMISSED AS MOOT**.

BY THE COURT:

/s/ Wendy Beetlestone

WENDY BEETLESTONE, J.